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*Special Counsel to Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff, and to
Alan Nisselson, Chapter 7 Trustee for the
Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff, and ALAN
NISSELSON, Chapter 7 Trustee for the Estate of
Bernard L. Madoff,

Plaintiffs,

v.

PETCARERX, INC.,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

Case No. 09-11893 (SMB)

Adv. Pro. No. 10-05392 (SMB)

STIPULATION ADJOURNING PRE-TRIAL CONFERENCE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned herein, that the pre-trial conference will be adjourned from December 16, 2015 to January 27, 2016, at 10:00 a.m.

Except as expressly set forth herein, the parties to this stipulation reserve all rights and defenses they may have, and entry into this stipulation shall not impair or otherwise affect such rights and defenses, including without limitation any defenses based on lack of jurisdiction and Defendant's position that, as one of the several cases included in the collective appeal decided by the Second Circuit under *Picard v. Ida Fishman Revocable Trust*, and as to which the United States Supreme Court denied certiorari on June 22, 2015, this case should be dismissed.

This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this stipulation shall be deemed an original. This stipulation is entered into pursuant to the Order Granting Supplemental Authority to Stipulate to Extensions of Time to Respond and Adjourn Pre-Trial Conferences (ECF No. 10106) in the above-captioned case (No. 08-01789 (SMB)).

Dated: New York, New York
December 4, 2015

By: /s/ Howard L. Simon
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and Alan Nisselson, Chapter 7 Trustee for the Estate of
Bernard L. Madoff*

Dated: New York, New York
December 4, 2015

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